

FILED

SEP 13 2006

CLERK, U.S. DISTRICT COURT

By \_\_\_\_\_ Deputy

JOHN RANDOLPH BLACK,

Petitioner,

v.

2:03-CV-0225

DOUGLAS DRETKE, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

Respondent.

**ORDER OVERRULING OBJECTIONS,**  
**ADOPTING REPORT AND RECOMMENDATION,**  
**and DENYING PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner has filed with this Court an application for a writ of habeas corpus by a person in state custody. On August 25, 2006, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that habeas relief be denied. On September 7, 2006, both petitioner and respondent filed objections to the Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case. The objections filed by both parties are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is hereby DENIED. Let judgment be entered accordingly.

IT IS SO ORDERED.

ENTERED this 13<sup>th</sup> day of September 2006.


MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE